

REMARKS

I. Status of the Claims

Claims 3-5, 7-8, 10-12, 15-17, 19, 20, 22-23, 25, 28-30, 33, 34, and 37-41 are pending in the application. Claims 6, 9, 13, 14, 18, 21, 24, 26, 27, 31, 32, 35, and 36 have been canceled. Independent claims 7, 16, 20, 37-41 have been amended pursuant to suggestions set forth in an interview.

II. Interview Summary

Applicants thank the Examiners for the courtesy extended in an interview conducted on March 31, 2009. All of the claims and all of the prior art of record was discussed, and particularly the conversation focused on the claimed fat or wax dispersible carrier and the showing set forth in the Rule 132 Declaration filed with Applicants' March 18, 2009 response.

It was noted and agreed that the claims should be amended to more clearly reflect that, according to the invention, colorant is first dissolved in a carrier before it dispersed in the fat or wax base and that, subject to an additional search, this appears to overcome the prior art of record. The amended claim language finds support in the specification at paragraph [0036] of the published application and is commensurate with the showing in the Declaration.

Applicants respectfully request favorable reconsideration of the outstanding rejections in this case on the basis of the remarks set forth in Applicants' March 18, 2009 Response, the experimental showing set forth in the Declaration of Arun Shastry filed on the same day, and in light of the understanding reached in the interview, resulting in the foregoing Amendment.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

  
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